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Customer No. 28596  
Attorney Docket No.: MP/84

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Campbell et al.

Serial No.: 08/499,423

Filed: July 7, 1995

For: Interior Liner for Tubes, Pipes and  
Blood Conduits

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

) Group Art Unit: 3738  
) Examiner: Brian E. Pellegrino

) I hereby certify that this correspondence is being  
) facsimile transmitted to the Commissioner for  
) Patents on the date shown below.

  
Susan H. Dunbar

06/08/06  
(date of faxing document)

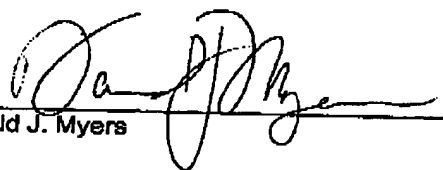
DECLARATION OF DAVID J. MYERS

1. I, David J. Myers, am an inventor of the above referenced U.S. Patent Application Serial No. 08/499,423.
2. I am familiar with the teachings of the U.S. Patent 5,641,373 by Shannon et al. filed April 17, 1995, hereinafter referred to as Shannon et al.
3. Shannon et al. describe bioprosthetic vascular grafts and method of manufacturing radially enlargeable tubular tape-reinforced polytetrafluoroethylene (PTFE) grafts.
4. Our invention (referenced above) teaches an interior liner for tubes, pipes and blood conduits comprising a tubular form circumferentially distensible and conformable whereby the first circumference of the interior liner may be distended by the application of pressure causing the first circumference to be increased to a larger circumference. It is taught that for application relating to use as a liner for blood conduits, it is preferred that the interior liner have a second circumference beyond which it is not readily distensible.
5. Laboratory protocol notebooks regarding experiments related to this invention were entered and kept at my request by Wayne House, as shown on the attached notebook pages (Exhibit A). Although the dates have been redacted from these notebook pages, this work was performed prior to April 16, 1994.

6. Clayton Sparling worked for me in my laboratory and under my direct supervision during 1993. At my request and under my direction, Mr. Sparling made the film tube described in the laboratory notebook description written by Mr. House (Exhibit A). This work was performed at W.L Gore & Associates, Inc. laboratory facilities located in Flagstaff AZ, USA.

7. According to the laboratory protocol notebook (Exhibit A), the first radially expandable film tube of the present invention was made prior to the filing date of Shannon et al. This successful experiment demonstrated the method of making a thin-wall film tube of a small diameter that increased to a pre-determined limited larger diameter by the application of force. The laboratory protocol notebook (Exhibit A) demonstrates our conception and reduction to practice of the invention that is the subject of the above referenced patent application

*I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.*

  
David J. Myers

5-25-06  
Date